

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

RIGOBERTO RODRIGUEZ,

Petitioner,

v.

No. CV 21-1102 MV/CG

ATTORNEY GENERAL OF THE
STATE OF NEW MEXICO,

Respondent.

ORDER TO ANSWER

THIS MATTER is before the Court on Petitioner Rigoberto Rodriguez's 28 U.S.C. § 2254 *Habeas Corpus Petition* (the "Petition"), (Doc. 1), filed November 16, 2021. Mr. Rodriguez challenges his state conviction for murder based on, inter alia, due process violations and ineffective assistance of counsel. The Court, having reviewed the claims pursuant to Habeas Corpus Rule 4, will order an answer.

IT IS HEREBY ORDERED that the Clerk forward copies of this Order and the Petition, (Doc. 1), to Respondent Attorney General of the State of New Mexico.

IT IS FURTHER ORDERED that Respondent shall answer the Petition by **June 10, 2022**. The answer must address the merits of each claim and may provide additional information on exhaustion. Respondent must attach to its answer copies of any filing pertinent to the issue of exhaustion and/or the merits that was filed by Mr. Rodriguez in the sentencing court, the state district court, the state court of appeals, and the state supreme court; and copies of all memoranda filed by both parties. Respondent must also attach to the answer copies of all state post-conviction or appellate proceedings and any transcripts that are needed to resolve the claims.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'Carmen E. Garza', with a long horizontal flourish extending to the right.

THE HONORABLE CARMEN E. GARZA
CHIEF UNITED STATES MAGISTRATE JUDGE